

UNITED STATES DISTRICT COURT

for the

____ District of _____

Plaintiff _____)
 v. _____)
 _____) Civil Action No.
 _____)
 _____)
 _____)
Defendant _____)

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To:

(Name of person to whom this subpoena is directed)

Production: **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

| | |
|--------|----------------|
| Place: | Date and Time: |
|--------|----------------|

Inspection of Premises: **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

| | |
|--------|----------------|
| Place: | Date and Time: |
|--------|----------------|

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: _____

CLERK OF COURT

OR

*Signature of Clerk or Deputy Clerk*_____
Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) _____, who issues or requests this subpoena, are: _____

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Attachment

Definitions

1. "You," "your," and "yours" refer to (a) the party to whom the subpoena is addressed, (b) any motor vehicle business with which that party is or has been associated in any way (whether that business is fictitious or real, and irrespective of the form of the business), including but not limited to Matthew Capozzoli.
2. "Employee" means any person, including an independent contractor, who has performed any service for you, on your behalf, or under your name (whether on a full-time, part-time, piece-work, or other basis, and whether paid or unpaid), and shall include but not be limited to any person authorized to buy or sell motor vehicles.

II. General Instructions

1. You are required to produce the originals of all documents and other items which are responsive, in whole or in part, to any description set forth in this "Subpoena Schedule," regardless of where located, that are in your possession, custody, or control, or in the possession, custody or control of any of your partners, associates, employees, agents, representatives, accountants, or attorneys, along with all copies of any such document which differ from the original by virtue of any addition, deletion, alteration, notation, or inscription on any part of the document, including its back.
2. Unless otherwise indicated, "documents" includes all documents prepared, sent, dated, received, in effect, or which otherwise came into existence at any time during the subpoena period.
3. The singular form of a word shall be construed to include within its meaning the plural form of the word, and vice versa, and the use of any tense of any verb shall be considered to also include all other tenses, in a manner that gives this subpoena schedule the broadest reading.

III. Time Period

The time period covered by this subpoena shall be from December 9, 2022 to present.

IV. Documents to be Produced

1. All records required to be maintained by or filed with any federal, state, or local governmental entity with respect to any employee, including, but not limited to: W-2 forms, W-4 forms, 1099 forms, payroll records, earning records, social security records, unemployment insurance records, worker's compensation records, immigration records, employee benefit records, and other tax and labor records.

1. Personnel file, including any records related to her application, hiring, promotion, compensation, benefits, and termination.
2. Payroll records including but not limited to any records related to compensation, hours worked, overtime, equity or other remuneration of any form.
3. All local, state and federal income tax returns.
4. All agreements, whether formal or informal between you and [the target], and any all communications pertaining to any agreement or negotiations pursuant to any agreement even if the agreement was not executed.
5. All other records required to be maintained by or filed with any federal, state, or local governmental entity in order for you to conduct business, including, but not limited to, articles of incorporation, additional licenses (such as a merchant's license or a privilege license), sales and purchase records, and insurance records not previously requested.
6. All local, state and federal income tax returns.